

Regular Session, 2012

SENATE BILL NO. 410

BY SENATOR CLAITOR

SPECIAL DISTRICTS. Constitutional amendment to establish certain requirements prior to legislatively creating certain special districts. (2/3-CA13s1(A))

A JOINT RESOLUTION

Proposing to amend Article III, Section 13, of the Constitution of Louisiana, relative to local or special laws; to provide certain requirements prior to legislatively creating certain special districts; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to amend Article III, Section 13 of the Constitution of Louisiana, to read as follows:

§13. Local or Special Laws; Notice of Intent; Publication

Section 13. **(A) Except as otherwise provided in this Section, no** ~~No~~ local or special law shall be enacted unless notice of the intent to introduce a bill to enact such a law has been published on two separate days, without cost to the state, in the official journal of the locality where the matter to be affected is situated. The last day of publication shall be at least thirty days prior to introduction of the bill. The notice shall state the substance of the contemplated law, and every such bill shall recite that notice has been given.

1 **(B) No local or special law relative to the creation of a special district, the**
2 **primary purpose of which includes aiding in crime prevention and adding to the**
3 **security of district residents by providing for an increased presence of law**
4 **enforcement personnel in the district or otherwise promoting and encouraging**
5 **security in the district, shall be enacted unless notice of the intent to introduce**
6 **such bill has been published on three separate days, without cost to the state, in**
7 **the official journal of the locality where the special district is to be situated. The**
8 **last day of publication shall be at least forty-five days prior to introduction of**
9 **the bill. The notice shall state the substance of the contemplated law, and shall**
10 **specifically disclose whether the governing authority of the special district**
11 **would be authorized by the contemplated law to impose and collect a parcel fee**
12 **within the district and the maximum amount of the parcel fee if a maximum**
13 **amount is set forth in the contemplated law. Every such bill shall recite that the**
14 **required notice has been given.**

15 Section 2. Be it further resolved that this proposed amendment shall be submitted
16 to the electors of the state of Louisiana at the statewide election to be held on November 6,
17 2012.

18 Section 3. Be it further resolved that on the official ballot to be used at said election
19 there shall be printed a proposition, upon which the electors of the state shall be permitted
20 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
21 follows:

22 Do you support an amendment to provide that no law relative to the creation
23 of a special district, the primary purpose of which includes aiding in crime
24 prevention and security by providing for an increased presence of law
25 enforcement personnel in the district or otherwise promoting and
26 encouraging security in the district, shall be enacted unless three separate
27 notices of the proposed law are published at least forty-five days prior to
28 introduction of the bill, which notice shall set forth the substance of the
29 proposed law and whether the governing authority of the special district

1 would be authorized to impose and collect a parcel fee within the district and
2 the maximum amount of such fee.
3 (Amends Article III, Section 13)

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Jerry J. Guillot.

DIGEST

Present constitution provides that no local or special law can be enacted unless notice of the intent to introduce a bill to enact such a law has been published on two separate days, without cost to the state, in the official journal of the locality where the matter to be affected is situated. Present constitution further provides that such notice must be published at least 30 days prior to introduction of the bill and must state the substance of the contemplated law. Present constitution requires that every such bill recite that the required notice has been given.

Proposed constitutional amendment retains present constitution except as to local or special laws that would create a special district, the primary purpose of which includes aiding in crime prevention and adding to the security of district residents by providing for an increased presence of law enforcement personnel in the district or otherwise promoting and encouraging security in the district. Proposed constitutional amendment provides that notice of the intent to introduce such bill must be published on three separate days, without cost to the state, in the official journal of the locality where the special district is to be situated. Proposed constitutional amendment further provides that such notice must be published at least 45 days prior to introduction of the bill and state the substance of the contemplated law, and specifically disclose whether the governing authority of the special district would be authorized to impose and collect a parcel fee within the district and the maximum amount of such fee. Proposed constitutional amendment requires that every such bill recite that this notice has been given.

Specifies submission of the amendment to the voters at the statewide election to be held on November 6, 2012.

(Amends Const. Art. III, Sec. 13)